

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**JACK BURKET, et al.,
JENNIFER ADAMS, et al.,
WILLIAM CLIFF, et al.,**

**CIVIL ACTION NOS. 05-72110
 05-72171
 05-72221**

Plaintiffs,

VS.

DISTRICT JUDGE PATRICK J. DUGGAN

**HYMAN LIPPITT, P.C.,
et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

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**OPINION AND ORDER GRANTING SCHWARTZ LAW FIRM'S MOTION TO
WITHDRAW AS CO-COUNSEL FOR ALL PLAINTIFFS**

These actions are closely related and allege securities fraud involving Hyman Lippitt, P.C., and its lawyers. The Schwartz Law Firm has moved to withdraw as co-counsel for all Plaintiffs. Plaintiffs' lead counsel, Andrew Wilson, and another local attorney will remain in the action to represent Plaintiffs. The Court finds good cause to grant this motion and dispenses with oral argument pursuant to E.D. Mich. LR 7.1(e). The Hyman Lippitt Defendants oppose the granting of this motion only because they intend, once the case has been finally adjudicated, to file for sanctions against Plaintiffs' counsel for filing this allegedly frivolous action. These Defendants request that if the Motion to Withdraw is granted that the withdrawal be subject to the express preservation of their right to request sanctions and the Court's right to impose sanctions for filing the action. With that express preservation, the Motion of the Schwartz Law Firm to withdraw as co-counsel for all Plaintiffs will be granted.

IT IS THEREFORE ORDERED that the Motion to Withdraw as Co-Counsel for All Plaintiffs filed by the Schwartz Law Firm (No. 05-72110, docket no. 212; No. 05-72171, docket no. 219/216; No. 05-72221, docket no. 190) is **GRANTED** upon the conditions set forth above.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 23, 2007

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Counsel of Record on this date.

Dated: August 23, 2007

s/ Lisa C. Bartlett
Courtroom Deputy